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CITY OF MARLBOROUGH

City Council Agenda

Monday, June 5, 2023

8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34), or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, May 22, 2023.
2. Minutes, Special City Council Meeting, May 25, 2023.
3. CONTINUED PUBLIC HEARING on the Petition from Andrew Delli Carpini on behalf of Colbea Enterprises, LLC, pursuant to Chapter 342 "Gasoline Stations and Car Washes" §2 "Exceptions" of the Code to operate a gas station/convenience store (Shell Station) at 342 Boston Post Road East on a 24-hour basis, Order No. 23-1008870A.
 - a) Communication from Attorney James Hall on behalf of Colbea Enterprises, LLC, re: Memorandum in support of Petition for 24-hour operation of gas station/convenience store (Shell Station) at 342 Boston Post Road East, Order No. 23-1008870A.
4. PUBLIC HEARING on the Application for Special Permit from Andy Fitz, on behalf of JP Morgan Chase Bank to install a drive-thru ATM for the Chase Bank branch to be located at 189 Boston Post Road West, Order No. 23-1008890.
5. Communication from Personnel Committee Chairman Dumais, re: Reappointments from Mayor Vigeant to various Boards, Commissions & Committees.
6. Communication from the Mayor, re: Capital Transfer Request in the amount of \$1,598,076.10 which moves funds from Free Cash to Capital Outlay for various departmental needs as outlined.
7. Communication from the Mayor, re: Proposed Zoning Amendments to Chapter 650 "Zoning" to add a new §37A "Multi-Family MBTA Housing Overlay District" relative to Multi-Family Zoning Requirements for MBTA Communities.
8. Communication from City Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to JW Capital Partners, LLC and Marlborough TOTG LLC v. City of Marlborough (Land Court No. 23 MISC 000199).
9. Communication from Central MA Mosquito Control Project, re: Personnel will be in the community responding to residents' concerns about mosquitos on various dates in June 2023.
10. Communication from Sudbury Companies of Minute and Militia re: Request for Temporary Sign placement at the corner of Route 20 and Hagar Road from September 23, 2023, to October 1, 2023, for the 2023 Colonial Faire and Muster at the Wayside Inn.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

11. Application for a Wireless Special Permit from Kristen LeDuc on behalf of Dish Wireless to install three (3) Wireless Antennas and related equipment on the rooftop at 2 Mount Royal Avenue.
12. Application for Modification of Special Permit from Ralph Aronov on behalf of Green Gold Group, Inc., to amend the hours of operation, type of use, and to allow for internally illuminated signage at the adult use marijuana retail establishment located at 910 Boston Post Road East within the Wayside District, Order No. 20-1008062D (X 21-1008326 & 21-1008371).
13. Minutes of Boards, Commissions and Committees:
 - a) School Committee, May 9, 2023.
 - b) Conservation Commission, April 6, 2023 & May 4, 2023.
 - c) Cultural Council, April 26, 2023.
 - d) Traffic Commission, March 29, 2023.
14. CLAIMS:
 - a) Emma LeBlanc, 244 Glen Street, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

15. **Order No. 23-1008881A: Proposed Fiscal Year 2024 Operating Budget as submitted by Mayor Vigeant in the amount of \$188,751,024.00 which represents a 4.57% increase over the Fiscal Year 2023 appropriation.**

Recommendation of the Finance Committee is to APPROVE as amended.

On a motion by Councilor Perlman, seconded by Councilor Oram, the Finance Committee voted 5-0 to refer to the City Council Mayor Vigeant's FY 2024 Operating Budget with proposed reductions in the amount of \$940,100.00 as discussed at the committee meeting resulting in an amended FY 2024 Municipal Operating Budget in the amount of \$187,810,924; and further recommends that the Mayor be requested to submit budget amendments as recommended by the Finance Committee. The list of Finance Committee approved reductions and recommended additions are listed in the attached Finance Committee report.